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APPLICATION NO.	FILING DATE	FIRST-NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/538,113

06/08/2005

Zhun Zhong

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

TRAN, PABLO N

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

10/04/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/538,113	<b>Applicant(s)</b> ZHONG, ZHUN	
	<b>Examiner</b> Pablo N. Tran	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 10-17 and 23-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 18-21 is/are rejected.
- 7) ☒ Claim(s) 9 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/08/05</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I in the reply filed on 06/29/07 is acknowledged.
2. Claims 10-17 and 23-30 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Group II and Group II, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 06/29/07.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogier et al. (2003/0179742).

As per claims 1 and 18, Ogier et al. disclosed a method for minimizing a communication service disruption period during a handoff of a mobile station in a wireless local area network (WLAN), the method comprising the steps of providing a plurality of APs in the network with an assigned channel of operation and a pre-configured nearest-neighbor table comprised of records, where each record includes at least a first field identifying a nearest neighbor AP and a second field identifying said nearest neighbor AP's channel of operation, transmitting said pre-configured nearest-neighbor table from said plurality of APs to associated STAs, and performing a prioritized search by said STA by first searching in each of said nearest neighbor AP's channel of operation as identified in said transmitted nearest-neighbor table to locate at least one candidate AP to form a new association with in said handoff [0097-0104, 0203-0212].

As per claim 2, Ogier et al. disclosed sequentially searching those remaining channels of operation in said network not included in the table in the case where the at least one candidate AP [0097-0104, 0203-0212].

As per claims 3 and 19, Ogier et al. disclosed transmitted pre-configured nearest-neighbor table via a modified probe response frame including the pre-configured nearest-neighbor table [0097-0104, 0203-0212].

As per claim 4, Ogier et al. disclosed the modified probe response frame is transmitted in response to a probe request by the STA [0097-0104, 0203-0212].

As per claims 5 and 20, Ogier et al. disclosed the transmitted pre-configured

nearest-neighbor table via a modified beacon frame including the pre-configured nearest-neighbor table [0097-0104, 0203-0212].

As per claims 6 and 21, Ogier et al. disclosed the transmitted pre-configured nearest-neighbor table via a dedicated AP channel announcement management frame including the pre-configured nearest-neighbor table [0097-0104, 0203-0212].

As per claim 7, Ogier et al. disclosed the dedicated AP channel announcement management frame is broadcast to a BSS or unicast to a particular STA in the BSS [0097-0104, 0203-0212].

As per claim 8, Ogier et al. disclosed the nearest-neighbor table information is represented as a bitmap in the dedicated AP channel announcement management frame [0097-0104, 0203-0212].

### ***Allowable Subject Matter***

5. Claims 9 and 22 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can


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be reached at (571)272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-directauspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**PABLO N. TRAN**  
**PRIMARY EXAMINER**

September 29, 2007

  
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